



GANNAWARRA

Shire Council

Wednesday, 18 July 2018

6.30pm

Council Chambers

Kerang

AGENDA

Ordinary Council Meeting

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1 ACKNOWLEDGEMENT OF COUNTRY

I would like to take this time to acknowledge the Traditional Custodians of the land, and pay my respect to elders both past and present

2 OPENING DECLARATION

We, the Councillors of the Shire of Gannawarra, declare that we will undertake the duties of the office of Councillor, in the best interests of our community, and faithfully, and impartially, carry out the functions, powers, authorities and discretions vested in us, to the best of our skill and judgement.

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES

Ordinary Meeting - 27 June 2018

5 DECLARATION OF CONFLICT OF INTEREST

The Local Government Amendment (Councillor Conduct and Other Matters) Act 2008.

A Councillor, member of a special committee, or member of Council staff has a conflict of interest in a matter if he or she has a *direct interest* or an *indirect interest* in that matter.

A person has a direct interest in a matter if there is a likelihood that the benefits, obligations, opportunities or circumstances of the person would be directly altered if the matter is decided in a particular way. This includes where there is a likelihood that the person will receive a direct benefit or loss that can be measured in financial terms or that the residential amenity of the person will be directly affected if the matter is decided in a particular way.

A person has an indirect interest in a matter if the person has:

- a close association in the matter because a family member, a relative or a member of their household has a direct or indirect interest in the matter
- an indirect financial interest in the matter
- a conflicting duty – although there are circumstances where a person does not have a indirect interest because of a conflicting duty
- received an ‘applicable gift’
- become an interested party in the matter by initiating civil proceedings or becoming a party to civil proceedings in relation to the matter.

Disclosure of conflict of interest

If a Councillor or member of a special committee has a conflict of interest in a matter which is to be or is likely to be considered at a meeting of the Council or special committee, the Councillor or member must:

- if he or she will be present at the meeting, make a full disclosure of that interest by advising of the class and nature of the interest to either –
- the Council or special committee immediately before the matter is considered at the meeting, *or*

- in writing to the Chief Executive Officer (CEO). Where the disclosure is made to the CEO in writing, the Councillor or member need only disclose the class of interest to the meeting, immediately before the matter is considered.
- if he or she will not be present at the meeting, make a full disclosure to the CEO or Chairperson of the meeting, in writing, of the class and nature of the interest. If a Chairperson is given a written disclosure, he or she must give the written disclosure to the CEO.
- The CEO must keep written disclosures in a secure place for 3 years after the date the Councillor or member of the special committee who made the disclosure ceases to be a Councillor or member, and destroy the written disclosure when the 3 year period expires.
- While the matter is being considered or any vote taken, the Councillor or member of a special committee with the conflict of interest must leave the room and notify the Mayor or Chairperson of the special committee he or she is doing so. The Mayor or Chairperson must notify the Councillor or member that he or she may return to the room after consideration of the matter and all votes have been cast.
- A CEO or Chairperson of a special committee must record in the minutes of the meeting the declaration of the conflict of interest, the class of the interest and, if the Councillor or member has disclosed the nature of the interest to the meeting, the nature of the interest.
- A failure by a Councillor or member to comply with section 79 of the Act may result in a penalty of up to 100 penalty units and disqualification under section 29(2) of the Act.

6 QUESTION TIME

Question Time at Council meetings enables an opportunity for members of the public in the gallery to address questions to the Council of the Shire of Gannawarra.

QUESTIONS FROM THE GALLERY

- All questions are to be directed to the Chair.
- Members of the public may ask questions from the gallery and should provide their name (and organisation if relevant) at the beginning of their questions.
- There is a maximum number of 3 questions of up to 2 minutes each.
- Chair will respond or refer to Councillor or CEO.
- Sometimes a Councillor/officer may indicate that they require further time to research an answer. In this case, the answer will be provided in writing generally within 10 days.
- Where a question cannot be answered on the spot, the person is asked to write out their questions on a form provided to enable an accurate response to be prepared.
- Questions will be answered at the meeting, or later in writing, unless the Chairperson has determined that the relevant question relates to:
 - Personal matters
 - The personal hardship of any resident or ratepayers
 - Industrial matters
 - Contractual matters
 - Proposed developments
 - Legal advice
 - Matters affecting the security of council property
 - An issue outside the Gannawarra Shire Council core business
 - Or any other matter which the Council considers would prejudice it or any person

- A matter which may disadvantage the Council or any other person
 - Is defamatory, indecent, abusive or objectionable in language or substance
 - Is repetitive of a question already answered (whether at the same or an earlier meeting)
 - Is asked to embarrass an officer or another Councillor
-
- No debate or discussion of questions or answers shall be permitted and all questions and answers shall be as brief as possible.

7 ASSEMBLY OF COUNCILLORS

7.1 ASSEMBLY OF COUNCILLORS 26 JUNE, 2018 TO 18 JULY, 2018

Author: Tom O'Reilly, CEO

Authoriser: Tom O'Reilly, CEO

Attachments: 1 Assembly of Councillors Record Form - 26 June, 2018
2 Assembly of Councillors Record Form - 9 July, 2018

RECOMMENDATION

That Council notes the records of Assembly of Councillors from 26 June, 2018 to 18 July, 2018.

EXECUTIVE SUMMARY

To present to Council written records of Assembly of Councillors in accordance with section 80A of the *Local Government Act 1989*.

DECLARATIONS OF CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

COUNCIL PLAN

Council Plan 2017-2021: Good Governance and a Healthy Organisation.

BACKGROUND INFORMATION

In accordance with Section 80A of the *Local Government Act 1989* a written record of assembly of councillors must be reported at an ordinary Council meeting and minuted as soon as practicable.

The record must include:

1. The names of all Councillors and members of council staff attending
2. The matters considered
3. Any conflict of interest disclosures made by a councillor attending
4. Whether a Councillor who has disclosed a conflict of interest left the assembly.

CONSULTATION

Consultation with Councillors and staff has occurred to ensure the accuracy of the Assemblies of Councillors records.

CONCLUSION

To ensure compliance with Section 80A of the *Local Government Act 1989* it is recommended that Council note the Assemblies of Councillors records as outlined in this report.



Assembly of Councillors Record Form

Date:	Tuesday, 26 June 2018
Time:	5:30pm – 7:30pm
Location:	Kerang Council Chambers
In Attendance: (Councillors)	Cr Brian Gibson, Cr Mark Arians, Cr Lorraine Learmonth, Cr Charlie Gillingham, Cr Sonia Wright, Cr Steve Tasker
Apologies	Cr Jodie Basile
In Attendance: (Officers) (Others)	Tom O'Reilly, Geoff Rollinson, Stacy Williams, Richard Morrison, Jo Haw, Roger Griffiths, Lisa Clue Terry Braham of Maquarie Lawyers
Matters Discussed:	Capital Works Update 2017/18 Pipeline of Potential Projects Councillor Issues Raised
Conflict of Interest Disclosures (Councillors)	Nil
Conflict of Interest Disclosures (Officers)	Nil
Completed By:	Tom O'Reilly – Chief Executive Officer



Assembly of Councillors Record Form

Date:	Monday, 9 July 2018
Time:	9:30am – 10:00am, 11.30am to 3.00pm
Location:	Kerang Council Chambers
In Attendance: (Councillors)	Cr Brian Gibson, Cr Charlie Gillingham, Cr Sonia Wright, Cr Steve Tasker
Apologies	Cr Jodie Basile, Cr Lorraine Learmonth, Cr Mark Arians
In Attendance: (Officers)	Tom O'Reilly, Geoff Rollinson, Stacy Williams, Richard Morrison, David Basil, Stevie Pearce, Roger Griffiths, Leigh Hollingsworth, Jo Haw, Russell Barnes
Matters Discussed:	<p>Council Policy Review Leitchville Preschool Portable Building Mayoral Attendance at ALGA Road Management Plan Gannawarra Planning Scheme Review – Draft Stock on Roads Economic Development Report Councillor Issues Raised</p>
Conflict of Interest Disclosures (Councillors)	Nil
Conflict of Interest Disclosures (Officers)	Nil
Completed By:	Tom O'Reilly – Chief Executive Officer

8 BUSINESS REPORTS FOR DECISION

8.1 COUNCIL POLICY REVIEW

Author: Alissa Harrower, Governance and Compliance Coordinator

Authoriser: Richard Morrison, Director Corporate Services

Attachments:

- 1 Policy No. 078 - Code of Conduct and Values for Elected Members**
- 2 Policy No. 097 - Hiring of Council Facilities**
- 3 Policy No. 101 - Media**
- 4 Policy No. 115 - Lanes - Roadways**
- 5 Policy No. 122 - Non Refund Statutory and Regulatory Service Fees**

RECOMMENDATION

That Council endorse the following policies:

- Policy No. 078 – Code of Conduct and Values for Elected Members
 - Policy No. 097 – Hiring of Council Facilities
 - Policy No. 101 – Media
 - Policy No. 115 – Lanes – Roadways
 - Policy No. 122 – Non Refund Statutory and Regulatory Service Fees
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EXECUTIVE SUMMARY

Council officers undertake regular reviews of Council policies to ensure they are up to date and reflective of current practices. This report addresses the following policies which have recently been reviewed:

- Policy No. 078 – Code of Conduct and Values for Elected Members
- Policy No. 097 – Hiring of Council Facilities
- Policy No. 101 – Media
- Policy No. 115 – Lanes – Roadways
- Policy No. 122 – Non Refund Statutory and Regulatory Service Fees

BACKGROUND

Council officers undertake regular reviews of Council policies to ensure compliance with relevant legislation and that they are reflective of current practice. Council policies are reviewed as needed, however most policies must be reviewed within either 12 months or two years of a Council Election. Reviewed policies are presented to Council for endorsement, or repealed if it has been determined the policy is no longer required.

POLICY CONTEXT

Council Plan 2017 – 2021: Good Governance and a Healthy Organisation – Identify innovative opportunities that create improvements.

DISCUSSION

Policy No	Policy Name	Comments
078	Code of Conduct and Values for Elected Members	<p>Council Policy No. 078 – Code of Conduct and Values for Elected Members was last reviewed in February 2017, in accordance with requirements of the <i>Local Government Act 1989</i>. Since that time councillors have developed the Council Plan 2017 – 2021 (incorporating revised Vision, Mission and Values), and participated in workshops covering a range of topics including communication and confidentiality.</p> <p>Adjustments to this Policy include:</p> <ul style="list-style-type: none"> • aligning the Councillor Values to those contained within the Council Plan 2017 – 2021; • documenting councillors undertaking to not quote or divulge to any third parties comments made by councillors at Councillor Briefings (Assemblies of Councillors) or Councillor-only meetings or sessions. It is further documented in the policy that this new provision does not apply to complaints made by a Councillor to the Principal Conduct Officer alleging a contravention of this Councillor Code of Conduct relating to a Councillor’s conduct at a Councillor briefing or Councillor-only meeting or session; • removing the 50 day limit on information designated confidential by the Chief Executive Officer. The 50 day limit contained in s 77(3) of the <i>Local Government Act 1989</i> was repealed on 1 March 2016 by s 17(5) of the <i>Local Government Amendment (Improved Governance) Act 2015</i>.
097	Hiring of Council Facilities	<p>Council Policy No. 097 – Hiring of Council Facilities outlines the facilities available for hire by the community including public halls operated by sub-committees of Council’s Community Halls Committee.</p> <p>The Policy also provides information relating to fees and charges, and public liability insurance requirements.</p> <p>There are a small number of recommended adjustments to the Policy including the inclusion of the Quambatook Seniors Hall as a Council facility, and the five Community Halls not previously listed.</p> <p>A change to the amount of liability protection from \$10 million to \$20 million reflects Council’s casual users blanket cover.</p>

101	Media	<p>Council’s Media Policy operates in conjunction with Council Policy No. 078 – Code of Conduct and Values for Elected Members and determines the process for how information is conveyed to the media.</p> <p>There is a number of recommended minor grammatical adjustments to the Policy, as well as the inclusion of Point 5, further information.</p>
115	Lanes - Roadways	<p>Council Policy No. 115 – Laneways was originally adopted in 2012 to provide guidance on Council’s position in maintaining laneways throughout the Shire.</p> <p>Recommended adjustments include a change in Director title, the removal of reference to returning laneways to adjoining properties due to this being a historical reference and not current process and a minor number of grammatical adjustments.</p>
122	Non Refund Statutory and Regulatory Service Fees	<p>Council Policy No. 122 was adopted in response to the many requests received from community groups and organisations for a refund of Statutory and/or Regulatory fees. The Policy informs community groups and organisations that Council does not refund Statutory and/or Regulatory Services fees.</p> <p>There are no recommended changes to the Policy.</p>

CONSULTATION

Council’s Executive Leadership and Management Teams have been involved in the review of the policies.

CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

This report addresses recently reviewed policies for the consideration of Council to ensure compliance with relevant legislation and that they are reflective of current practice.



CODE OF CONDUCT AND VALUES FOR ELECTED MEMBERS

COUNCIL POLICY NO. 078

1. INTRODUCTION

As Gannawarra Shire Councillors we are committed to working together in the best interests of the people within our municipality and to discharging our responsibilities to the best of our skill and judgment.

We recognise and respect that everyone has the same human rights entitlement to allow them to participate in, and contribute to, society and our community. We also recognise that all persons have equal rights in the provision of, and access to, Council services and facilities.

Our commitment to working together constructively will enable us to achieve the intended outcomes of the Council Plan in a manner that is consistent with our values.

The primary role of Council¹ is to provide leadership for the good governance of the Gannawarra Shire. The role of Council also includes:

- acting as a representative government by taking into account the diverse needs of the local community in decision making;
- providing leadership by establishing strategic objectives and monitoring their achievement;
- maintaining the viability of Council by ensuring that resources are managed in a responsible and accountable manner;
- advocating for the interests of the local community to other levels of government, neighbouring communities and agencies;
- acting as a responsible partner in government by taking into account the needs of other communities; and
- fostering community cohesion and encouraging active participation in civic life.

2. COUNCILLOR VALUES²

As Councillors, we acknowledge and endorse Gannawarra Shire Council's values and how they relate to our roles as Councillors:

- We will work closely with our community using our collective skills and knowledge to build a positive future. Together with our partners we will deliver great things for our community.
- We will be resourceful and resilient, employing creative problem solving to our challenges. We will plan and be prepared for when opportunities present.
- We will embrace new ideas and technology to deliver quality services to our community at a lower cost. We will make time to consider the big issues and actively seek creative solutions.
- We will listen to our community and use our collective knowledge and sound judgement to respond and close the loop.

¹Refer *Local Government Act 1989* – s3D

²Refer Gannawarra Shire Council – Council Plan 2017 - 2021

3. CONDUCT OBLIGATIONS

CONDUCT PRINCIPLES

We commit to act in accordance with the primary conduct principle³ and general conduct principles⁴ set out in the Act.

CHIEF EXECUTIVE OFFICER

We undertake to respect the responsibilities of the Chief Executive Officer⁵ and to comply with the policies, practices and protocols established by him or her that define appropriate arrangements for interaction between Council staff and Councillors.

USE OF RESOURCES⁶

We commit to using Council resources effectively and economically. We will:

- maintain adequate security over Council property, facilities and resources provided to us to assist in performing our role and comply with any Council policies applying to their use;
- ensure any expense claims that we submit are in compliance with the relevant legislative provisions and Council policy;
- not use Council resources, including services of Council staff, for private purposes, unless legally or properly authorised to do so, and payments are made where appropriate; and
- not use public funds or resources in a manner that is improper or unauthorised.

GIFTS AND BENEFITS

We will scrupulously avoid situations giving rise to the appearance that a person or body, through the provision of gifts, benefits or hospitality of any kind, is attempting to gain favourable treatment from an individual Councillor or from the Council.

We will take all reasonable steps to ensure that our immediate family members (parents, spouse, children and siblings) do not receive gifts or benefits that give rise to the appearance of being an attempt to gain favourable treatment.

A gift can be accepted where the gift would generally be regarded as having a token value and could not be perceived to influence our actions as a Councillor.

It is appropriate to accept a gift where refusal may cause offence or embarrassment, in which case we will accept the gift on behalf of Council.

Where a gift is received on behalf of the Council with a value greater than \$30, the gift becomes the property of the Council. For transparency and accountability purposes, these gifts will be recorded in the Gifts Register with a notation that it is the property of the Council.

We recognise that gifts valued over \$30, received in the twelve months prior to election from a person or body that has a direct interest in a matter, may give rise to an indirect interest because of receipt of an applicable gift.

We will record all campaign donations in our "campaign donation return".

³Refer *Local Government Act 1989* – s76B

⁴Refer *Local Government Act 1989* – s76BA

⁵Refer *Local Government Act 1989* – s94A(3A)

⁶Refer *Local Government Act 1989* – s76BA(e)

COMMUNICATION

We recognise that as representatives of the local community, we have a primary responsibility to be responsive to community views and to adequately communicate the position and decisions of Council.

We commit to comply with Council's Media policy and respect the functions of the Mayor and Chief Executive Officer to be the spokesperson for Council, in accordance with Council policy.

We undertake that, where we choose to express a personal opinion through the media, we will make it clear that it is a personal view and does not represent the position of Council. We further undertake to ensure that any such comment is devoid of comments that could reasonably be construed as being derogatory, offensive or insulting to any person.

We also undertake that we will not quote or divulge to any third parties, including social media forums, any comments made by Councillors at Councillor briefings (assemblies of Councillors) or Councillor-only meetings or sessions. This provision does not apply to a complaint made by a Councillor to the Principal Conduct Officer alleging a contravention of the Councillor Code of Conduct relating to a Councillor's conduct at a Councillor briefing or Councillor-only meeting or session.

PERSONAL DEALINGS WITH COUNCIL

When we deal with Council in a private capacity (eg as a ratepayer, recipient of a service or applicant for a permit), we do not expect, nor will we request preferential treatment in relation to any such private matter. We will avoid any action that could lead Council staff or members of the public to believe that we are seeking preferential treatment.

4. PROHIBITED CONDUCT

The *Local Government Act 1989* has specific provisions that prohibit councillors from certain conduct. Whilst these matters are not of a nature to be addressed as a contravention of the councillor code of Conduct, we undertake to comply with prohibitions set out below. These matters should more properly be the subject of an application to a Councillor Conduct Panel for a finding of serious misconduct⁷ or a complaint to the Local Government Inspectorate or the Independent Broad-based Anti-corruption Commission, depending on the nature of the allegation.

MISUSE OF POSITION⁸

We will not misuse our position to gain or attempt to gain, directly or indirectly, an advantage for ourselves or any other person or to cause, or attempt to cause, detriment to Council or another person.

Circumstances involving the misuse of position by a Councillor include:

- (a) making improper use of information acquired as a result of the position held or hold; or
- (b) disclosing information that is confidential information within the meaning of section 77(2); or
- (c) directing, or improperly influencing, or seeking to direct or improperly influence, a member of Council staff in contravention of section 76E; or
- (d) exercising or performing, or purporting to exercise or perform, a power, duty or function that we are not authorised to exercise or perform; or
- (e) using public funds or resources in a manner that is improper or unauthorised; or
- (f) failing to disclose a conflict of interest as required under this Division.

IMPROPER DIRECTION AND IMPROPER INFLUENCE⁹

We will not improperly direct or improperly influence, or seek to improperly direct or improperly influence, a member of Council staff:

- (a) in the exercise of a delegated power, or the performance of a delegated duty or function of the Council; or
- (b) in the exercise of a power or the performance of a duty or function exercise or performed by the member as an authorised officer under this Act or any other Act; or

⁷Refer *Local Government Act 1989* – s3(1) (Definitions)

⁸Refer *Local Government Act 1989* – s76E

⁹Refer *Local Government Act 1989* – s76E

- (c) in the exercise of a power or the performance of a duty or function the member exercises or performs in an office or position the member holds under another Act; or
- (d) in relation to advice provided to the Council or a special committee, including advice in a report to the Council or special committee.

CONFIDENTIALITY

We will not disclose confidential information¹⁰:

- a) provided to Council in relation to a matter considered in a meeting closed to members of the public in accordance with section 89(2) of the Act, and Council has not passed a resolution that the information is not confidential; or
- b) designated as confidential by a resolution of Council which specifies the relevant grounds applying under section 89(2) of the Act and Council has not passed a resolution that the information is not confidential; or
- c) designated in writing as confidential information by the Chief Executive Officer specifying the ground or grounds applying and Council has not passed a resolution that the information is not confidential.

We may disclose information that we know is confidential information in the following circumstances:

- (a) for the purposes of any legal proceedings arising out of this Act;
- (b) to a court or tribunal in the course of legal proceedings;
- (c) pursuant to an order of a court or tribunal;
- (d) to the Chief Municipal Inspector to the extent reasonably required by the Chief Municipal Inspector;
- (e) to a Councillor Conduct Panel in the course of a hearing and for the purposes of the hearing;
- (f) to a municipal monitor to the extent reasonably required by the municipal monitor;
- (g) to the extent reasonably required for any other law enforcement purposes.

CONFLICT OF INTEREST

Council is committed to making all decisions impartially and in the best interests of the whole community. We therefore recognise the importance of fully observing the requirements of the Act in regard to the disclosure of conflicts of interest.

For the purpose of this Code, “direct interest”, “indirect interest” and “conflicts of interest”, have the meanings specified in sections 77A, 77B, 78, 78A, 78B, 78C, 78D and 78E of the Act.

We will comply with all the provisions of the Act in regard to Conflicts of Interest:

- If, as a Councillor we consider that we have a direct or indirect interest in a matter before Council, a special committee of council or an assembly of Councillors, we have a conflict of interest; and
- If, as a Councillor we have a conflict of interest in a matter, we will comply with the requirements of the Act and ensure that we disclose the class and nature of the interest, leave the room in which the meeting or assembly is being held during any discussion, debate and vote on the matter; and
- If, as a Councillor we have a personal interest in a matter to be considered by Council or a special committee that is not a conflict of interest, and we consider that our personal interest may be in conflict with our public duty to act impartially and in the interest of the whole community, we will declare a conflicting personal interest under section 79B of the Act immediately before the matter is considered at the relevant meeting and apply to Council or special committee to be exempted from voting on the matter.

In addition to the requirements of the Act:

- We will give early consideration to each matter to be considered by Council, any special committee to which we belong, or assembly of Councillors, to ascertain if we have a conflict of interest; and

¹⁰Refer Local Government Act 1989 – s77(2)



- We recognise that the legal onus to determine whether a conflict of interest exists rests entirely with each of us as individual Councillors and that Council officers cannot offer any advice in relation to potential conflicts. If we cannot confidently say that we do not have a conflict of interest, we will declare a conflict of interest and comply with the relevant requirements as if we had a conflict of interest; and
- If we consider that we may be unable to vote on a matter because of a conflict of interest, we will notify, as soon as possible, the Mayor or the Committee Chair, depending on whether the matter is to be considered by Council, a special committee, or an assembly of Councillors, as well as the Chief Executive Officer.

REGISTER OF INTERESTS¹¹

We will disclose any information, whether of a pecuniary nature or not, of which we are aware and consider might appear to raise a material conflict between our private interest and our public duty as a Councillor.

OTHER LEGISLATIVE REQUIREMENTS

Alleged contraventions of provisions contained within the Act relating to councillor eligibility, electoral conduct and the election will not be dealt with by Council using the internal resolution procedure in this Code of Conduct and Values. Allegations in relation to contravention of these provisions will be directed to the Victorian Electoral Commission or the Local Government Inspectorate, depending on the nature of the allegation, for investigation and any consequent action.

We undertake to comply with the various provisions relating to these matters.

5. DISPUTE RESOLUTION

Before commencing any formal dispute resolution process, the Councillors who are parties to a dispute are expected to use their best endeavours to resolve the matter in a courteous and respectful manner between themselves. Where, after these endeavours have been exhausted, the matter still remains unresolved, the parties may resort to any or all of the Council's three phase dispute resolution process.

The Council's three phase dispute resolution process involves:

- direct negotiation between the parties in dispute with the Mayor in attendance to provide guidance;
- external mediation by an independent mediator engaged by the Chief Executive Officer; and
- an internal resolution procedure involving an independent arbiter.

Phase 1 – Direct negotiation

Where Councillors who are in dispute have not been able to resolve the dispute between them, either (or both) party (parties) may request the Mayor to convene a meeting of the parties.

A dispute referred for direct negotiation may relate to:

- an interpersonal conflict between Councillors where the conflict is or is likely to affect the operations of the Council; or
- an alleged contravention of the Councillor Code of Conduct and Values.

The party requesting the direct negotiation meeting is to provide the Mayor with the name of the other Councillor and the details of the dispute in writing. The written request is to indicate that it is for a "direct negotiation" dispute resolution process. Where the request relates to an alleged contravention of the Councillor Code of Conduct and Values, the request must:

- specify the name of the Councillor alleged to have contravened the Code;
- specify the provision(s) of the Code that is alleged to have been contravened;
- include evidence in support of the allegation;
- name the Councillor appointed to be their representative where the request is made by a group of councillors; and
- be signed and dated by the requestor or the requestor's representative.

¹¹Refer *Local Government Act 1989* – s81

The requestor is to notify the other party of the request and provide him or her with a copy of the written request either at the same time as it is provided to the Mayor or as soon as practicable thereafter.

The Mayor is to ascertain whether or not the other party is prepared to attend a "direct negotiation" meeting.

If the other party is not prepared to attend a meeting, the Mayor is to advise the requestor forthwith. No further action is required of the Mayor. Declining to participate in a meeting does not constitute a contravention of this Councillor Code of Conduct and Values.

If the other party consents to a meeting, the Mayor is to convene a meeting of the parties at the earliest opportunity. Unless one or both parties are unavailable, this should be within five working days of receiving the consent of the other party.

The Mayor may present the parties with guidelines, in advance of the meeting or at the meeting, to help facilitate the meeting.

The role of the Mayor at the meeting is to provide guidance to Councillors about what is expected of a Councillor including in relation to the role of a Councillor under section 65 of the Act, and the observation of the councillor conduct principles and the Councillor Code of Conduct and Values.

The Mayor is to document any agreement reached at the meeting. Copies of the agreement are to be provided to both parties. Where one party does not comply with the agreement, the other party has recourse to external mediation or the internal resolution procedure where the matter relates to an alleged contravention of the Councillor Code of Conduct and Values.

If the parties cannot resolve the dispute at the meeting, a further meeting may be convened with the consent of both parties. Where the dispute remains unresolved, either or both of the parties have recourse to external mediation or the internal resolution procedure where the matter relates to an alleged contravention of the Councillor Code of Conduct and Values.

Where the Mayor is a party to the dispute, the request is to be made to the Deputy Mayor or the immediate past Mayor. The Deputy Mayor or the immediate past Mayor will perform the functions ascribed to the Mayor.

Phase 2 – External mediation

A Councillor or a group of Councillors may make an application for a dispute to be referred for external mediation whether or not the dispute has been the subject of an application for "direct negotiation".

An application made for a dispute to be referred for external mediation may relate to:

- an interpersonal conflict between Councillors where the conflict is or is likely to affect the operations of the Council; or
- an alleged contravention of the Councillor Code of Conduct and Values.

The applicant is to submit a written application to the Principal Conduct Officer¹² setting out the name of the Councillor and the details of the dispute. The application is to indicate that the application is for an "external mediation". Where the application relates to an alleged contravention of the Councillor Code of Conduct and Values, the application must:

- specify the name of the Councillor alleged to have contravened the Code;
- specify the provision(s) of the Code that is alleged to have been contravened;
- include evidence in support of the allegation;
- name the Councillor appointed to be their representative where the application is made by a group of councillors; and
- be signed and dated by the applicant or the applicant's representative.

The applicant is to notify the other party of the request and provide him or her with a copy of the application either at the same time that it is submitted to the Principal Conduct Officer or as soon as practical thereafter.

¹²Council's Director Corporate Services has been appointed to the position of Principal Conduct Officer

The Principal Conduct Officer is to ascertain (in writing) whether or not the other party is prepared to attend an "external mediation". If the other party declines to participate in an external mediation, he or she is to provide their reasons for doing so in writing to the Principal Conduct Officer. These reasons may be taken into account if the matter is, subsequently, the subject of an application for a Councillor Conduct Panel. Declining to participate in an external mediation does not constitute a contravention of this Councillor Code of Conduct and Values.

If the other party agrees to participate in an external mediation, the Principal Conduct Officer is to advise the applicant, the Mayor and Chief Executive Officer forthwith.

The Chief Executive Officer is to engage the services of an external mediator to conduct the mediation at the earliest practicable opportunity.

The mediator is to document any agreement reached at the meeting. Copies of the agreement are to be provided to both parties. Where one party does not comply with the agreement, the other party has recourse to the internal resolution procedure where the matter relates to an alleged contravention of the Councillor Code of Conduct and Values.

If the parties cannot resolve the dispute at the meeting, a further meeting may be convened with the consent of both parties. Where the dispute remains unresolved, the applicant has recourse to the internal resolution procedure where the matter relates to an alleged contravention of the Councillor Code of Conduct and Values.

Phase 3 - Internal resolution procedure – Arbiter

An application cannot be made for an internal resolution procedure during the election period for a general election. Any internal resolution procedure that is in progress is to be suspended during the election period for a general election.

If the respondent to an application for an internal resolution procedure is not returned to office as a Councillor in the election, the application lapses. If the respondent is returned to office in the election, the application may resume if:

- the application was made by the Council and the Council so resolves; or
- the application was made by a group of Councillors and any one (or more) of those Councillors who has been returned to office wishes to proceed with the application; or
- the applicant (individual Councillor) is returned to office and wishes to proceed with the application.

A councillor or a group of councillors may make an application alleging that a Councillor has contravened this Councillor Code of Conduct and Values. The application must:

- specify the name of the Councillor alleged to have contravened the Code;
- specify the provision(s) of the Code that is alleged to have been contravened;
- include evidence in support of the allegation;
- name the Councillor appointed to be their representative where the application is made by a group of councillors; and
- be signed and dated by the applicant or the applicant's representative.

The application must be submitted to Council's Principal Conduct Officer.

An applicant may withdraw an application for an internal resolution procedure. Once an application has been withdrawn, the same or a similar application relating to the same instance in relation to the respondent Councillor cannot be resubmitted by the applicant.

On receiving an application, the Principal Conduct Officer will:

- advise the Mayor and CEO of the application without undue delay;
- provide a copy of the application to the Councillor who is the subject of the allegation at the earliest practical opportunity but not later than two working days from receipt of the application;
- identify an arbiter to hear the application;
- obtain from the arbiter written advice that they have no conflict of interest in relation to the Councillors involved;
- notify the parties of the name of the proposed arbiter and provide them with the opportunity (2 working days) to object to the person proposed to be the arbiter;
- consider the grounds of any objection and appoint the proposed arbiter or identify another arbiter;

- provide a copy of the application to the arbiter as soon as practicable after the opportunity for the parties to object to an arbiter has expired;
- after consultation with the arbiter, advise the applicant and the respondent of the time and place for the hearing; and
- attend the hearing(s) and assist the arbiter in the administration of the process.

In identifying an arbiter to hear the application, the Principal Conduct Officer must select an arbiter who is suitably independent and able to carry out the role of arbiter fairly.

The role of the arbiter is to:

- consider applications alleging a contravention of the Councillor Code of Conduct and Values by a Councillor;
- make findings in relation to any application alleging a contravention of the Councillor Code of Conduct and Values which the arbiter must give to the Council;
- give a written statement of reasons supporting the findings to the applicant at the same time as it gives its findings to the respondent;
- recommend an appropriate sanction or sanctions where the arbiter has found that a Councillor has contravened the Councillor Code of Conduct and Values.

In considering an application alleging a contravention of the Councillor Code of Conduct and Values, an arbiter will:

- in consultation with the Principal Conduct Officer, fix a time and place to hear the application;
- authorise the Principal Conduct Officer to formally notify the applicant and the respondent of the time and place of the hearing;
- hold as many meetings as he or she considers necessary to properly consider the application. The arbiter may hold a directions hearing;
- have discretion to conduct the hearings as he or she deems fit while ensuring that the hearings are conducted with as little formality and technicality as due and proper consideration of the application allows;
- ensure that the parties to and affected by an application are given an opportunity to be heard by the arbiter;
- consider an application by a respondent to have legal representation at the hearing to ensure that the hearing is conducted fairly and may, in his or her absolute discretion, grant the application or deny the application;
- ensure that the rules of natural justice are observed and applied in the hearing of the application; and
- ensure that the hearings are closed to the public.

Where an application to have legal representation is granted by an arbiter, the costs of the respondent's legal representation are to be borne by the respondent in their entirety.

An arbiter:

- may find that a Councillor who is a respondent to an internal resolution procedure application has not contravened the Code;
- may find that a Councillor who is a respondent to an internal resolution procedure has contravened the Code;
- will suspend consideration of an internal resolution procedure during the election period for a general election.

The arbiter is to give a copy of his or her findings and the statement of reasons to the Council, the applicant and the respondent. At the same time, the arbiter provides the findings and statement of reasons, he or she shall, where a Councillor has been found to have contravened the Code, recommend an appropriate sanction or sanctions for the contravention for consideration by the Council.

A copy of the arbiter's findings, statement of reasons and any recommended sanctions is to be submitted to the next ordinary meeting of the Council for its consideration. If an arbiter has found that a contravention of the Code has occurred, the Council may, after considering the arbiter's findings, statement of reasons and recommendation on sanctions, give any or all of the following written directions to the Councillor:

- direct the Councillor to make an apology in a form or manner specified by the Council;
- direct the Councillor to not attend up to, but not exceeding, 2 meetings of the Council (in respect of the next scheduled meetings of the Council);

- direct that, for a period of up to, but not exceeding, 2 months on a date specified by the Council the Councillor:
 - be removed from any position where the Councillor represents the Council; and
 - to not chair or attend any advisory committee or special committee meeting or an assembly of Councillors or any other meeting specified in the direction¹³.

A Councillor who does not participate in the internal resolution procedure may be guilty of misconduct. The Act provides that misconduct by a Councillor means any of the following:

- (a) failure by a Councillor to comply with the Council’s internal resolution procedure; or
- (b) failure by a Councillor to comply with a written direction given by the Council under section 81AB; or
- (c) repeated contravention of any of the Councillor conduct principles.

Allegations of misconduct are heard on application by a Councillor Conduct Panel¹⁴.

6. RELEVANT SECTIONS OF THE LOCAL GOVERNMENT ACT

3(1)	Definitions	78	Indirect interest by close association
3D	Role of a Council	78A	Indirect interest that is an indirect financial interest
3F	Powers of Councils	78B	Indirect interest because of conflicting duties
29	Disqualifications	78C	Indirect interest because of receipt of an applicable gift
63	Oath of Office and Councillor Code of Conduct	78D	Indirect interest as a consequence of becoming an interested party
65	Role of a Councillor	78E	Indirect interest because of impact on residential amenity
73AA	Functions of Mayor	81	Register of interests
76B	Primary Principle of Councillor Conduct	81AB	Sanctions for Contravention of Councillor Code of Conduct
76BA	General Councillor Conduct Principles	81B	Application to Councillor Conduct Panel
76C	Councillor Code of Conduct	81T	Functions and powers of the Principal Councillor Conduct Registrar
76E	Improper direction and improper influence	81X	Functions of a Principal Conduct Officer
77(2)	Confidential Information	81Y	Duties of the Chief Executive Officer in relation to Councillor Conduct Panels
77A	Direct and indirect interests	94A(3A)	Functions of the Chief Executive Officer
77B	Direct Interest		

7. RELATED COUNCIL POLICIES

- Policy No. 010 – Equal Employment Opportunity
- Policy No. 074 – Information Privacy and Health Records Act 2000
- Policy No. 083 – Email, Intranet and Internet
- Policy No. 100 – Fraud and Corruption
- Policy No. 101 – Media
- Policy No. 107 – Protected Disclosure
- Policy No. 117 – Complaint Handling
- Policy No. 118 – Election Period

¹³Refer Local Government Act 1989 – s81AB
¹⁴Refer Local Government Act 1989 – s81B

8. POLICY REVIEW

Council will review this policy within four months after a general election of the Council. At the time of review, this policy was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

9. DECLARATION

Declarations stating that councillors will abide by this Code of Conduct and Values for Elected Members, adopted by Council on 15 February 2017 have been signed by the following councillor/s:

Cr Brian Gibson
 Cr Charlie Gillingham
 Cr Mark Arians
 Cr Lorraine Learmonth
 Cr Sonia Wright
 Cr Jodie Basile
 Cr Steven Tasker

10. FURTHER INFORMATION

Members of the public may inspect all Council policies at Gannawarra Shire Council’s Kerang and Cohuna office or online at www.gannawarra.vic.gov.au.

Any enquiries in relation to this policy should be directed to the Chief Executive Officer on (03) 5450 9333.

Records – Document Profile No. 14/00453

Originally adopted: 11/06/2003	Minute Book Reference: 2710
Reviewed: 28/06/2006	Minute Book Reference: 5034
Reviewed: 24/06/2009	Minute Book Reference: 7519
Reviewed: 16/10/2013	Minute Book Reference: 10349
Reviewed: 22/06/2016	Minute Book Reference: 12411
Reviewed: 15/02/2017	Minute Book Reference: 12489
Reviewed:	Minute Book Reference:
To be reviewed 2021	





Hiring of Council Facilities

COUNCIL POLICY NO. 097

1. POLICY

Permission to Hire

The following Council facilities are available to hire by the community:

- Category 1 Facilities
- Kerang and Cohuna Memorial Halls (including supper rooms, Function Room (Kerang)
 - Cohuna Community Meeting Room (former Cohuna Council Chambers)
 - Sir John Gorton Library Meeting Room
 - Kerang Seniors Hall
 - Barrook Seniors Hall
 - Cohuna Seniors Rooms
 - Quambatook Seniors Hall

Category 2 Facilities

- Gannawarra Public Hall
- Dingwall Hall
- Koroop Hall
- Lake Charm Hall
- Murrabit Hall
- Myall Hall

Permission to hire Category 1 Facilities shall be granted by the Chief Executive Officer, or delegate, subject to the hirer agreeing to comply with the necessary Conditions of Hire as determined by Council from time to time and detailed in the most current Facility Hire Agreement.

Permission to hire Category 2 Halls, i.e. Public Halls operated by sub-committees of Council’s Community Halls Committee of Council shall be granted by the relevant sub-committee subject to the hirer complying with the necessary Conditions of Hire as determined by Council and the Sub-committee from time to time and detailed in the most current Facility Hire Agreement.

(Permission to hire other Public Halls within the Gannawarra Shire shall be granted by the individual hall’s Committee of Management.)

Fees and Charges

Fees and charges applicable to the hiring of category 1 and 2 facilities are set by Council as part of the annual budget process and outlined in the fees and charges schedule.





Fees and charges applicable to the hiring of all other Public Halls within the Gannawarra Shire are set by the respective Committees of Management.

Bond

Council charges a bond which is held and will be refunded if the facility is restored to its 'pre hire' condition. In instances where the bond is not refunded in full, every effort will be made to contact the hirer and explain the decision. The amount of the bond is determined by Council as part of the annual budget process.

Public Liability Insurance

Incorporated Bodies – The user, if an Incorporated Body, must provide to the Gannawarra Shire Council a Certificate of Currency that confirms that the Policy has a minimum of \$10,000,000 coverage and is in force for the duration of the use.

Casual Users – To ensure all users have adequate Public Liability Insurance a 'blanket cover with the Gannawarra Shire Council' is in place to protect the interest of Casual Users who do not have existing cover and who meet certain criteria set by the insurer and Council. This cover is for an amount of \$20,000,000 and will provide liability protection for the User should an action be brought against them for any negligent act during the event relating to the use.

2. POLICY REVIEW

Council will review this policy as required but always within two years after a general election of the Council.

At the time of review, this policy was compliant with the *Victoria Charter of Human Rights and Responsibilities Act 2006*.

3. FURTHER INFORMATION

Members of the public may inspect all Council policies at Gannawarra Shire Council's Kerang and Cohuna office or online at www.gannawarra.vic.gov.au

Any enquiries in relation to this policy should be directed to the Director Corporate Services on (03) 5450 9333.

Records – Document Profile No. 14/02213
Originally adopted: 17/09/2014
Reviewed: 18/07/2018
To be reviewed by: 2022

Minute Book Reference: 11022
Minute Book Reference:



Media

COUNCIL POLICY NO. 101

1. POLICY OBJECTIVE

To ensure the transparent and accountable operation of Council and to encourage an informed and engaged community.

2. POLICY STATEMENT

Elected members and nominated Council officers making public statements regarding Council matters should ensure that:

- Information is conveyed accurately.
- Such information is responsible and does not contain information that may be deemed confidential.
- It is made clear whether they are representing Council in an official capacity or whether they are speaking as a community member.
- The Mayor is the primary spokesperson to the media on major issues and decisions that are made by Council.
- Ward Councillors are the primary spokesperson, where possible, for the Council on matters relating to their ward.
- The CEO and Executive Leadership Team members are the primary spokespeople on operational matters, and will act as secondary spokespeople on Council matters, should Councillors be unavailable.
- Certain Council staff members may be authorised to speak to the media if approved by the CEO or the Executive Leadership Team.
- All written materials provided to the media must be approved by the CEO or the Executive Team before distribution.

Councillors, the CEO and members of the Executive Leadership Team should be aware that all comments made at public events and meetings are on the public record and can be utilised by the media.

Council will ensure transparent communication with representatives of the media by:

- Regularly issuing media releases to local media outlets.
- Responding to all media inquiries in a timely manner.
- Ensuring the availability of Councillors and members of the Executive Leadership Team to provide further information or comment to media outlets.
- Ensuring all information of importance and relevance to local residents is made public, unless the provision of information contravenes Council's duty of care and/or could infringe laws or regulations which govern Council's operation.
- Providing appropriate media training to all Councillors and staff who regularly interact with members of the media.
- Making written information available via a range of formats (i.e. online, in hard copy, on social media or via a public meeting).
- Ensuring permission to use any quotes, statements and photographic images from a third party is obtained before distribution.

3. RELATED POLICIES

Policy No. 078 – Elected Members Code of Conduct further details Gannawarra Shire Council’s position on media communication by elected members.

4. POLICY REVIEW

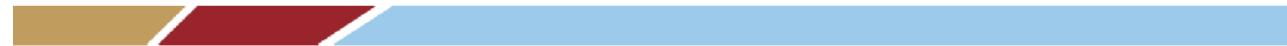
Council will review this policy as required but always within two years after a general election of the Council. At the time of review, this policy was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

5. FURTHER INFORMATION

Members of the public may inspect all Council policies at Gannawarra Shire Council’s Kerang and Cohuna Offices, or online at www.gannawarra.vic.gov.au.

Any enquiries in relation to this policy should be directed to the Director Community Wellbeing on (03) 5450 9333.

Altus – 3.000518			
Originally adopted:	24/10/2007	Minute Book Reference:	6164
Reviewed:	15/12/2010	Minute Book Reference:	8463
	15/07/2015	Minute Book Reference:	11830
	18/07/2018	Minute Book Reference:	
To be reviewed by:	2022		





Lanes – Roadways

COUNCIL POLICY NO. 115

1. POLICY

It is estimated there is a total of 16km of “laneways” within townships throughout the Municipality. These laneways were originally created to serve as night cart routes or to provide additional access to the rear of a property.

The majority of these laneways serve only as additional access for residential properties to backyards and sheds. Only a small number of these laneways currently act as what would be considered by the general public as a roadway, that is to provide access to public car parks.

1.1. Classification of Laneways

Historically, a small number of laneways have been mapped and included on Council’s Road Register as “Not Maintained” while others are not included in the register in any form. Council’s Road Management Plan provides a number of classifications for roads within Council’s road network. These classifications ensure at a minimum that the road surface is fit for purpose and inspected on a regular basis. Classifications applicable to identified laneways include:

Access-Major

- Primarily provides access to residents or secondary commercial/industrial access.

Access-Minor

- Primarily provides access to property, river access, fire access and seasonal produce haulage.

Ancillary Road Areas

- A roadway generally contained within a Caravan Park, public park or public reserve. These are generally not within a road reserve but on Council owned or managed land.

Not Maintained

- Primarily un-formed roads, tracks, laneways and treed reserves and rarely used.

A road authority may under the *Road Management Act 2004* increase the classification of a road if it believes the road is generally required for public use. The road will then be listed on Council’s Road Register as a higher category to be inspected and maintained at a particular level of service in accordance with Council’s Road Management Plan.

1.2. Hierarchy of Laneways

It is understood that Laneways throughout the municipality provide for a variety of access situations depending on their location and the surrounding uses. Each laneway, as it is identified will be assessed against the following criteria for classification:

Access-Major

A laneway that provides access to public car parks; or to private business car parks where more than five businesses are serviced within a segment.

**Access-Minor**

A laneway that provides access to private business car parks and may also be used as a delivery route for those businesses.

Ancillary Road Areas

Generally not assigned to a laneway as such, but includes public car parks serviced from a laneway.

Not Maintained

A laneway that provides secondary access to property, generally residential, however, may include businesses with no associated rear parking areas. This classification of laneway includes the majority of the former night cart routes.

2. POLICY REVIEW

Council will review this policy as required but always within two years after a general election of the Council.

At the time of review, this policy was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

3. FURTHER INFORMATION

Members of the public may inspect all policies at Gannawarra Shire Council's Kerang and Cohuna office or online at www.gannawarra.vic.gov.au.

Any enquiries in relation to this policy should be directed to the Director Infrastructure & Development on (03) 5450 9333.

Records – Document Profile No. 14/00481

Originally adopted: 18/04/2012 Minute Book Reference: 9154

Reviewed: 25/05/2018

To be reviewed by: 2022





Non – Refund Of Statutory and/or Regulatory Services Fees

COUNCIL POLICY NO. 122

1. POLICY OBJECTIVE

To have a uniform policy that clearly informs community groups and organisations that Council does not refund Statutory and/or Regulatory Services fees.

2. POLICY

That Council not grant exemptions for requests to refund Statutory and/or Regulatory Services fees.

3. POLICY REVIEW

Council will review this policy as required but always within two years after a general election of the Council.

At the time it was developed, this policy was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

4. FURTHER INFORMATION

Members of the public may inspect all policies at Gannawarra Shire Council’s Kerang and Cohuna office or online at www.gannawarra.vic.gov.au.

Any enquiries in relation to this policy should be directed to the Chief Executive Officer on (03) 5450 9333.

Altus – 3.000518			
Originally adopted:	17/04/2013	Minute Book Reference:	9844
Reviewed:	18/07/2018	Minute Book Reference:	
To be reviewed:	2022		



8.2 MAYORAL ATTENDANCE - ALGA**Author:** Tom O'Reilly, CEO**Authoriser:** Tom O'Reilly, CEO**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the Mayoral conference report in relation to the 2018 National General Assembly of Local Government.

EXECUTIVE SUMMARY

The purpose of this report is to provide feedback on the National General Assembly (NGA) of Local Government which Mayor Gibson, along with the CEO, attended in Canberra from Sunday 17 to Wednesday 20 June 2018.

BACKGROUND

Convened annually by the Australian Local Government Association (ALGA), the National General Assembly (NGA) of Local Government is the peak annual event for Local Government, attracting in excess of 800 Mayors and Councillors each year.

This event provides a unique opportunity for Local Government to engage directly with the Federal Government, to develop national policy and to influence the future direction of our councils and our communities.

POLICY CONTEXT

Council Plan 2017-2021 – Good Governance and a Healthy Organisation and Connectivity

Councillor Allowances and Support Policy No. 092.

DISCUSSION

The conference theme for 2018 was 'Australia's Future: Make it Local' to reflect not just the wide scope and importance of Local Government, but its ability to influence and affect fundamental change and improvement at the community level.

Council's attendance at this annual Assembly provided the opportunity to listen to the current challenges confronting the sector from Councils across the country and consider solutions or innovative ideas that may be relevant to Gannawarra. Session discussion and presentations covered wide ranging topical issues including recycling and waste, energy and climate change, gender diversity in local government, balancing innovation and public interest, how to create resilient local communities, digital technology, arts and culture, population growth, development trends and liveability.

The Hon Malcolm Turnbull MP and The Hon Bill Shorten MP were guest speakers at the conference along with keynote presentations by high calibre speakers including Hon Dr John McVeigh MP, Mr Stephen Jones MP, Virginia Haussegger AM, Saul Eslake, Bernard Salt, David Speers and Catherine O'Regan.

There were 91 motions provided to the 2018 NGA covering a vast array of issues including constitutional recognition of Local Government, increases to Financial Assistance Grants, COAG funding and infrastructure investment, social and indigenous procurement initiatives, recycling and waste, terror and security related risks, roads, rail and transport services etc. Resolutions carried will be considered by the NGA Board and where appropriate, will be pursued with the Federal Government and the Opposition. These resolutions will also be drawn on as part of ongoing advocacy. The resolutions can be found at:

http://www.conferenceco.com.au/ALGA_NGA/NGA_Business_Papers.pdf

Mayor Gibson and the CEO attended dinner in the Members Dining Room at Parliament House at the invitations of Mr Andrew Broad, Federal Member for Murray. This dinner was also attended by representatives from other councils within the Mallee electorate.

Of the 562 Local Government Areas (LGAs) across Australia, there were only ten (10) category winners in the 2018 National Awards for Local Government, with Gannawarra being one of the category winners. It was a wonderful honour and recognition for the Gannawarra Shire Council, when our Arts and Culture Officer, Kirsty Orr and the Mayor took centre stage at Parliament House to be presented with the "*National Award for Arts Animates – Excellence in building vibrant and resilient communities*". This national award acknowledges Gannawarra's innovative approach to delivering a performing arts program in partnership with the community.

CONSULTATION

No consultation was required.

CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act, the Officer preparing this report declares no conflict of interest in regards to this matter

CONCLUSION

That Council note Mayor Gibson's report.

9 INFORMATION REPORTS

Nil

10 URGENT ITEMS**11 NOTICES OF MOTION**

Nil

12 DELEGATES REPORTS**12.1 DELEGATES REPORT - 28 JUNE, 2018 TO 18 JULY, 2018****Author: Allison Peace, Administration Assistant - Chief Executive Office****Authoriser: Tom O'Reilly, CEO****Attachments: Nil****EXECUTIVE SUMMARY**

Delegate Reports from 28 June, 2018 to 18 July, 2018

Cr Brian Gibson

05 July	Gannawarra Shire Municipal Emergency Management Planning Committee Meeting
09 July	NAIDOC Week – Flag Raising Ceremony
10 July	Citizenship Ceremony
12 July	Kerang Lions Club Changeover Dinner
14 July	Waterwonderland – Deb Ball – Kerang
18 July	The Victorian Sister Cities Forum - Melbourne

Cr Charlie Gillingham

09 July	NAIDOC Week – Flag Raising Ceremony
11 July	Quambatook Lions Club Changeover Dinner

Cr Lorraine Learmonth

29 June	Kerang Rotary Club Changeover Dinner
04 July	Leitchville Progress Association Meeting
05 July	Elders Meeting – Kerang
12 July	Vic Police NAIDOC Week Celebration
16 July	Cohuna & District Progress Association Meeting
17 July	CCLLEN Indigenous Treaty Meeting – Echuca

Cr Steve Tasker

09 July	NAIDOC Week – Flag Raising Ceremony
10-11 May	Mental Health First Aid Course - Melbourne

Cr Sonia Wright

04 July Leitchville Progress Association Meeting
 09 July NAIDOC Week – Flag Raising Ceremony
 16 July Cohuna & District Progress Association Meeting

This table represents attendances at Council meetings and briefings:

Function Attended	Councillor (✓)						
	Gibson	Arians	Basile	Gillingham	Learmonth	Tasker	Wright
Council Briefing (09 July)	✓	A	A	✓	A	✓	✓
Ordinary Council Meeting (18 July)	✓	✓	A	✓	✓	✓	✓

LoA = Leave of Absence

A = Apology

13 CONFIDENTIAL ITEMS

RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 89(2) of the *Local Government Act 1989*:

13.1 G12-2018 Leitchville Preschool Portable Building - Decision to Delegate

This matter is considered to be confidential under Section 89(2)(d) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with contractual matters.